

HOUSE No. 2701

By Mr. Scibak of South Hadley, petition of John W. Scibak and others relative to establishing a statewide initiative to reduce death and disability resulting from shaken baby syndrome. Public Health.

The Commonwealth of Massachusetts

PETITION OF:

John W. Scibak	Kathleen M. Teahan
Todd M. Smola	Peter V. Kocot
Cory Atkins	Frank I. Smizik
Mary E. Grant	Anne M. Gobi
Robert P. Spellane	J. James Marzilli, Jr.
Jeffrey Sánchez	Michael F. Kane
Barbara A. L'Italien	Ellen Story
Bradford Hill	David B. Sullivan
Kathi-Anne Reinstein	Gale D. Candaras
Robert K. Coughlin	William Smitty Pignatelli
Steven M. Walsh	Paul J. Donato
Christopher J. Donelan	Anne M. Paulsen
Mark J. Carron	Joseph F. Wagner
John P. Fresolo	Donald F. Humason, Jr.
David Paul Linsky	Jay R. Kaufman
James B. Leary	Frank M. Hynes
Shirley Gomes	Alice Hanlon Peisch
Rachel Kaprielian	Karen E. Spilka
Stephen Leduc	Benjamin Swan
Scott P. Brown	Thomas M. Stanley
Susan C. Tucker	John H. Rogers
John D. Keenan	

In the Year Two Thousand and Five.

AN ACT TO PREVENT SHAKEN BABY SYNDROME IN MASSACHUSETTS.

1 *Whereas*, because cases with less serious injuries may not
2 receive medical attention, or may go undetected, and no central
3 SBS reporting system is available, the actual incidence of Shaken
4 Baby Syndrome is unknown and likely underestimated;

5 *Whereas*, medical costs to deal with the aftermath of Shaken
6 Baby Syndrome can exceed one million dollars for the first years
7 after injury and data indicate that more than sixty percent of med-
8 ical costs for victims of Shaken Baby Syndrome are borne by
9 state-sponsored programs; and, whereas, additional law enforce-
10 ment and court costs, child protective services, rehabilitation,
11 special education, and short and long-term custodial care costs
12 due to SBS are staggering;

13 *Therefore*, it is hereby declared to be an emergency mandate,
14 necessary for the immediate preservation of the health and safety
15 of the public.

*Be it enacted by the Senate and House of Representatives in General
Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 1 of Chapter 111 of the General Laws, as
2 appearing in the 2002 Official Edition, is hereby amended by
3 inserting after the definition “Nuclear reactor”, the following new
4 definition:

5 Shaken Baby Syndrome, a form of abusive head trauma, char-
6 acterized by a constellation of symptoms caused by a non-acci-
7 dental traumatic injury resulting from the violent shaking of
8 and/or impact upon an infant or young child’s head.

1 SECTION 2. Chapter 111 of the General Laws is hereby
2 amended by inserting after section 24J, the following new section:
3 The Department of Public Health shall collaborate with the
4 Department of Social Services and other state agencies serving
5 families and children, the medical community, law enforcement,
6 human service providers, and child advocacy organizations to
7 develop and implement a comprehensive, statewide initiative to
8 reduce death and disability resulting from Shaken Baby Syn-
9 drome. Said initiative shall include but not be limited to: insti-
10 tuting a patient-education program on Shaken Baby Syndrome
11 prevention for all parents of newborns; instituting education and

12 training programs on the prevention and diagnosis of Shaken
13 Baby Syndrome for other parents, caregivers, physicians and pro-
14 fessionals serving children and families; assisting in the develop-
15 ment of programs to support and serve victims and families
16 affected by Shaken Baby Syndrome; and conduct surveillance and
17 data collection on the incidence of Shaken Baby Syndrome and
18 traumatic brain injury in infants and young children.

19 The Department of Public Health may promulgate all rules and
20 regulations necessary to effectuate the purposes of this section.

21 The Department of Public Health, in collaboration with the
22 Department of Social Services, shall report annually to the Gov-
23 ernor, and file with the Clerks of the House of Representatives
24 and Senate, the status of the Shaken Baby Syndrome prevention
25 initiative.

1 SECTION 3. This act shall take effect upon its passage.